

REMARKS

In response to the Office Action mailed January 23, 2009 (hereinafter, "Office Action")¹, the response for which is due April 23, 2009, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

I. Interview Summary

Applicant thanks Examiner Parker for the courtesies shown during a telephonic interview conducted on April 14, 2009. In attendance was Examiner Parker and counsel for Applicant, Charulata J. Shah (Reg. No. 43,769) of Accenture and Maura K. Moran (Reg. No. 31,859) of Finnegan. The substance of the interview is made of record in the remarks below.

II. Status and Disposition of the Claims

In the instant application, claims 1-17, of which claims 1, 7, 9 and 15 are independent, are pending and under consideration on the merits. Claims 18-26 remain withdrawn. In the Office Action, Claims 1-17 were rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter (see Office Action at pages 2-4).

III. Amendments to the Specification and Claims and New Claims

In this response, the Specification is amended to correct obvious grammatical errors. In addition, claims 1-6 and 8-14 are amended herein. Claims 7 and 15-17 are canceled. Claim 8, originally depending from claim 7, is amended to depend from claim 4. Applicant has amended claims 1-6 and 8-14 to recite the claimed features more clearly. Many of the amendments of claim 1-6 and 8-14 add missing antecedent basis or improve readability. In addition, Applicant has amended the claims to resolve the 35

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statements are identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

U.S.C. § 101 rejections. Finally, claims 27-30 are added. Upon entry of the amendments, claims 1-6, 8-14, and 27-30 will be pending in this application.

No new matter is introduced. Support for the amendments in the claims and for the new claims may be found, among other places, in the following parts of the Specification: paragraphs [0001], [0025], [0026], [0029], [0031], [0038], [0039], [0040], [0044], and the Abstract.

Applicant submits that the proposed amendments of the claims do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Applicant also respectfully submits that, because, as noted above, the amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, should the Examiner raise any new grounds of rejection, any such new grounds of rejections will not be necessitated by Applicant's amendment to the claims. As such, if the Examiner raises any new grounds of rejections, the subsequent office action must be a non-final office action. *See* MPEP 706.07(a).

IV. Response to Rejections

Based on the reasoning presented below, Applicant respectfully traverses the rejection of the claims under 35 U.S.C. § 101 and requests the withdrawal of the rejections and the timely allowance of the pending claims.

As addressed in the interview, the Examiner contends that the pending claims are not directed to non-statutory subject matter. Applicant respectfully disagrees with and hereby traverses this rejection. No agreement was reached during the interview, but the Examiner agreed to consider amendments to resolve the 35 U.S.C. § 101 rejections. Applicant herein makes amendments to place claims in allowable condition. Specifically, Applicant amended claims 1-6 and 8-14 to be more clearly tied to another

statutory category. Accordingly, Applicant requests the rejection under 35 U.S.C. § 101 of claims 1-6 and 8-14 to be withdrawn.

In addition, claims 27-30, although of different scope from claims 1-6 and 8-14, recite similar elements and therefore are also in allowable condition. Given that the Office Action does not raised any rejections on the basis of prior art, Applicant assumes that there are no valid prior art grounds for rejecting the claims (in accordance with M.P.E.P. § 707.07(g)), and that the claims are allowable over the prior art of record. Accordingly, in view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 23, 2009

By: 

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